

MAR 29 2005

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

By: *[Signature]* KATHERINE D. THOMAS, Clerk  
Deputy Clerk

INAM INTERNATIONAL, INC., )  
)  
Plaintiff, )  
)  
v. )  
)  
BROAN-NUTONE LLC, a Wisconsin )  
Limited Liability Company, )  
)  
Defendant. )

1:05-CV-0852  
CIVIL ACTION NO. \_\_\_\_\_

CAP

NOTICE OF REMOVAL OF CIVIL ACTION

Defendant Broan-NuTone LLC alleges:

1.

Broan-NuTone, LLC, is the defendant in a civil action originally filed on February 22, 2005, in the Superior Court of DeKalb County, State of Georgia, Case No. 05CV3116-5, entitled Inam International, Inc. v. Broan-NuTone, LLC.

2.

Defendant was served with the Summons and Complaint on February 28, 2005; this removal is timely under 28 U.S.C. § 1446(b).

3.

True and complete copies of all the process and pleadings served on Defendant in this action are attached as Exhibit 1 to this Notice and no further proceedings have been had.

FILED  
Clerk's Office  
U.S.D.C. ATLANTA  
Title V-110  
per *MA*

4.

The United States District Court for the Northern District of Georgia has original jurisdiction over this action based on diversity of citizenship pursuant to 28 U.S.C. § 1332.

5.

This is a civil action in which the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

6.

Plaintiff alleges that it is a corporation incorporated in the State of Georgia with its principle place of business in the State of Georgia; therefore, as alleged, Plaintiff is a citizen of the State of Georgia.

7.

Defendant is a limited liability company, organized in the State of Delaware with its principle place of business in the State of Wisconsin. As required by Rolling Greens MHP v. Comcast SCH Holdings LLC, 374 F.3d 1020 (11<sup>th</sup> Cir. 2004), none of its members are citizens of the State of Georgia; its only member is Nortek, Inc., which is incorporated in Delaware with its principle place of business in Rhode Island.

8.

No defendant in this action is a citizen of the State of Georgia.

WHEREFORE, Defendant files this Notice of Removal of Civil Action, now pending in the Superior Court of DeKalb County, State of Georgia, Case No. 05CV3116-5, from that court to this, the United States District Court for the Northern District of Georgia.

This 29<sup>th</sup> day of April 2005.

NALL & MILLER, LLP



GEORGE R. NEUHAUSER

Georgia Bar No. 112851

CHARLES R. CARSON

Georgia Bar No. 112851

ALEXIA R. PLEASANTS

Georgia Bar No. 581777

Attorneys for Defendant

Broan-NuTone, LLC

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Atlanta, Georgia 30303  
404/522-2200

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**CERTIFICATE OF SERVICE AND**  
**COMPLIANCE WITH LOCAL RULE 5.1**

I, the undersigned, hereby certify that this document was prepared in Book Antigua 13 point font and that I have this day served counsel for all parties with a true and correct copy of the foregoing documents in the United States Mail with sufficient postage affixed thereon as follows:

Jefferson C. McConnaughey, Esq.  
Cozen O'Connor  
SunTrust Plaza, Suite 2200  
303 Peachtree Street NE  
Atlanta, GA 30308

This the 29<sup>th</sup> day of March, 2005.

**NALL & MILLER, LLP**



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